

ESTTA Tracking number: **ESTTA717879**

Filing date: **12/31/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Black Bear Pontoons & Fabrication, Inc.
Granted to Date of previous extension	01/06/2016
Address	305 W Arland Ave. Montesano, WA 98563 UNITED STATES
Attorney information	Jason Aldred Miles Way Coyne, PLLC 924 Capitol Way South#219 Olympia, WA 98501 UNITED STATES jason.mileswaycoyne@comcast.net

### Applicant Information

Application No	86243321	Publication date	09/08/2015
Opposition Filing Date	12/31/2015	Opposition Period Ends	01/06/2016
Applicant	Lifetime Entertainment Services, LLC 235 East 45th Street New York, NY 10017 UNITED STATES		

### Goods/Services Affected by Opposition

Class 014. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are opposed, namely: Jewelry; key chains of precious metal

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	86423704	Application Date	10/14/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BUCK RING		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 014. First use: First Use: 2011/04/00 First Use In Commerce: 2011/04/16 Rings; Rings; Rings being jewelry; Rings made in whole or significant part of gold, silver, platinum, titanium, stainless steel, tungsten, aluminum, ceramic, cobalt, and diamonds; Wedding rings

Attachments	86423704#TMSN.png( bytes ) Not of Opp 86243321 COS.pdf(25218 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/jca/
Name	Jason Aldred
Date	12/31/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Black Bear Pontoons & Fabrication, Inc.	Opposition No. _____
Opposer	Serial No. 86243321
v.	Mark: BUCK OR DIE
Lifetime Entertainment Services, LLC	Filing Date: April 4, 2014
Applicant.	

**NOTICE OF OPPOSITION**

Opposer Black Bear Pontoons & Fabrication, Inc., d/b/a Northwest HydroPrint (“NW HydroPrint”) believes it will be damaged by the registration of Application Serial No. 86243321 for the mark BUCK OR DIE, in International Class 14 for “Jewelry; key chains of precious metal” and opposes the same. As grounds for its opposition, NW HydroPrint alleges the following, upon actual knowledge with respect to itself and its own acts upon information and belief as to other matters.

**Opposer and Its BUCK RING Mark**

1. NW HydroPrint is a Washington corporation with a business address at 305 W Arland Ave, Montesano, Washington 98563.

2. NW HydroPrint is a brick-and-mortar and online retailer that sells specialized jewelry, namely rings and provides services for decorative and protective coatings on a variety of goods of others.

3. NW HydroPrint has used the mark BUCK RING in interstate commerce in connection with its goods and services since at least as early as April 16, 2011.

### **Applicant and Its Mark**

4. Applicant Lifetime Entertainment Services, LLC is a Delaware corporation with an address at 235 East 45th Street, New York, New York 10017.

5. On April 4, 2014, Applicant filed an intent-to-use trademark application for the mark BUCK OR DIE for “Jewelry; key chains of precious metal”. That application was assigned Serial No. 86243321 and was published on September 8, 2015.

6. On September 23, 2015, Opposer filed a 90-day Extension of Time to Oppose with a granted to date of January 6, 2016.

### **Count One** **Likelihood of Confusion, 15 U.S.C. § 1052(d)**

7. NW HydroPrint repeats and realleges each and every allegation set forth in Paragraphs 1 through 6.

8. Applicant's BUCK OR DIE mark so resembles NW HydroPrint's prior-used BUCK RING mark, as to be likely, when applied to Applicant's services, to cause confusion, to cause mistake, or to deceive under Section 2(d) of the Lanham Act, as amended, 15 U.S.C. § 1052(d).

WHEREFORE, NW HydroPrint believes that it will be damaged by the registration of the mark shown in Application Serial No. 86243321 and respectfully requests that this opposition be sustained and the application refused.

A filing fee has been submitted electronically.

Respectfully submitted,

Date: 12/31/15

By: /Jason Aldred  
Jason Aldred  
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924 Capitol Way South, #219  
Olympia, WA 98501  
Telephone: (360) 754-2513

Attorney for Opposer  
Black Bear Pontoons & Fabrication,  
Inc, d/b/a Northwest HydroPrint

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing NOTICE OF OPPOSITION was served by first class-mail, postage prepaid, on this 31st day of December 2015, on Applicant's counsel of record at the following address:

Monica B. Richman  
Dentons US LLP  
PO Box 61080  
Chicago, IL 60606-1080

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Jason Aldred